

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 SORIBA BANGOURA,

No. C-12-3229 MMC

12 Plaintiff,

**ORDER REMANDING DEFENDANT'S
CROSS-COMPLAINT**

13 v.

14 ANDRE-BOUDIN BAKERIES, INC.,

15 Defendant.

16 /

17 By separate order filed concurrently herewith, the Court has granted defendant
18 Andre-Boudin Bakeries, Inc.'s ("Boudin") motion for summary judgment as to each of
19 plaintiff Soriba Bangoura's ("Bangoura") federal claims. The remaining claim in the above-
20 titled action is Boudin's "Cross-Complaint Against Plaintiff Soriba Bangoura for Violation of
21 Penal Code Section 632." The Court's jurisdiction over Boudin's claim against Bangoura is
22 supplemental in nature. See 28 U.S.C. § 1367(a).

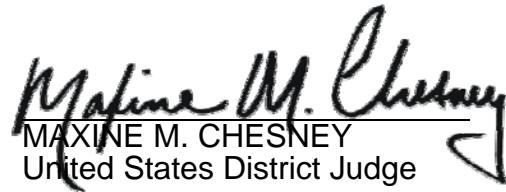
23 A district court may decline to exercise supplemental jurisdiction where "the district
24 court has dismissed all claims over which it has original jurisdiction." See 28 U.S.C.
25 § 1367(c)(3). Where a district court has granted summary judgment on all federal claims,
26 the district court, pursuant to § 1367(c)(3), may properly decline to exercise supplemental
27 jurisdiction over the remaining state law claims. See Bryant v. Adventist Health
28 System/West, 289 F.3d 1162, 1169 (9th Cir. 2002).

1 Here, having considered the matter, and in light of the resolution of Bangoura's
2 federal claims, the Court finds it appropriate to decline to exercise jurisdiction over Boudin's
3 state law claim, pursuant to § 1367(c)(3).

4 Accordingly, the Cross-Complaint is hereby REMANDED to the Superior Court of
5 California, in and for the County of San Francisco.

6 **IT IS SO ORDERED.**

7
8 Dated: April 26, 2013


MAXINE M. CHESNEY
United States District Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28